

OAKLAND UNIFIED SCHOOL DISTRICT
1025 SECOND AVENUE, OAKLAND, CALIFORNIA 94606

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JUL 31 2003

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July 30, 2003

Federal Communications Commission (FCC)
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Dear Sir or Madam:

Re Docket No 96-45 and 97-21
Waiver Request and Appeal to the FCC for the Oakland Unified School District

Billed Entity Number: 144227

471 Application Number: 363385

Administrator's Decision on Appeal: June 2, 2003

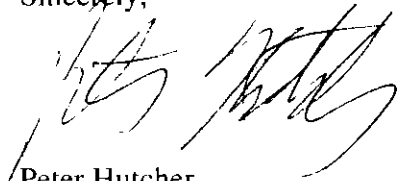
Oakland Unified School District (District) respectfully requests a waiver of the 60 day submission deadline for our appeal of Form 471 application number 363385 based on the following circumstances:

- 1 The Oakland Unified School District (OUSD) submitted Form 471 application numbers 351033 and 363385 together via FedEx on February 6, 2003.
2. On March 20, 2003 OUSD received a Certification Postmarked Outside of Window notification regarding Form 471 Application # 351033. The notice states that certification was postmarked on 2/13/2003. OUSD did not receive a Certification Postmarked Outside of Window notification regarding Form 471 Application # 363385.
3. On April 17, 2003 OUSD submitted an e-mail appeal of the Certification Postmarked Outside of Window notification for Application # 351033.
4. On June 3, 2003 the appeal of Form 471 # 351033 was Approved For Certification

5. Since both Form 471 # 351033 and Form 471 # 363385 were properly submitted together the original SLD Certification Postmarked Outside of Window notification for Form 471 # 363385 was in error.
- 6 On May 2, 2003 OUSD had a phone conversation with an SLD representative in which we verbally received the following information:
 - Based on the appeal of Form 471 # 351033 OUSD had been assigned case # 207160
 - Although Form 471 # 363385 was also Certified Postmarked Outside of Window on the SLD web site, no letter from the SLD had gone out on application # 363385.
 - It is permissible for OUSD to file an appeal based on the Certified Postmarked Outside of Window information posted on-line even though we had not received a letter from the SLD.
 - There was no mention of a deadline or any need for urgent action regarding Form 471 # 363385.
- 7 Since we had not received written notification and had not been verbally informed by the SLD of a written notification or informed of a submission deadline OUSD did not feel an urgency to submit an appeal of Form 471 # 363385. Had we been informed in writing or via phone as we had been for Form 471 # 351033 we would certainly have submitted within the 60 day deadline. All documentation required was identical to that submitted for the appeal of Form 471 # 351033 and had been prepared for the submission of that appeal.

Therefore Oakland Unified School District respectfully requests that this waiver request be granted and our appeal of Form 471 # 363385 be considered.

Sincerely,



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Director, Technology Services
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510-879-1848 FAX
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8455 PARDEE DR
OAKLAND, CA 94621

Location: OAKA
Device ID: OAKA-POS2
Employee: 367518
Transaction: 800011679786

PRIORITY OVERNIGHT

838605734365 0.15 lb (S) \$17.24

Total Due: \$17.24

FedEx Account: \$17.24
****35507

M = Weight entered manually
S = Weight read from scale
T = Taxable item

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Tracking Number 838605734365
Reference Number
Ship Date 02/06/2003
Delivered To
Delivery Location LAWRENCE KS
Delivery Date/Time 02/07/2003 09 17
Signed For By M HODGES
Service Type Priority Envelope

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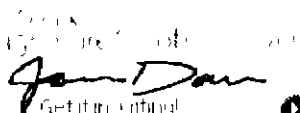
Scan Activity

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Date/Time

02/07/2003 09 17

Comments



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Box 125 – Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey 07981
Visit us online at <http://www.si.universalservice.org>

We thank you for your continued support, patience, and cooperation during the appeal process

Schools and Libraries Division
Universal Service Administrative Company